

File of
petition.

Written
report.

Deposit with
clerk.

Notice to
nonresident.

Notice
published.

Appeal.

the Superior Court of Davidson County their petition, which petition shall set forth and describe the lands sought to be condemned, and the fact that the said board is unable to secure same by purchase. Upon such petition being filed the clerk of the Superior Court shall, upon ten days notice to the owner or owners of the land sought to be condemned, appoint three disinterested freeholders of Davidson County, who shall view the premises and assess the value thereof and shall make a written report of their appraisals, signed by at least a majority of them, to the said clerk within five days of their appointment, which report shall be entered by the clerk upon the records of his office. If the report is confirmed by the clerk, the said school commissioners shall deposit with the clerk for the use of the owner or owners of the lands condemned, the amount assessed, and shall immediately have the right to enter into possession of said lands, and in case the owner or owners refuse to vacate the same may have execution as in ejectment against the said owners or occupants of the land.

SEC. 2. If the land sought to be condemned hereunder, or any part of said land, shall be owned by a nonresident of the State, before the clerk shall appoint appraisers thereof, notice to such nonresident owner shall be given of such proceedings to condemn, by publication for thirty days of a notice setting forth the purposes of the proceedings, such notice to be published in some newspaper published in the town of Lexington.

SEC. 3. Either party aggrieved by the action of the appraisers may appeal to the Superior Court, but no appeal shall prevent the school commissioners from taking possession of the said lands and only the question of the value of the property taken shall be the subject of inquiry on the appeal, and if the owner or owners shall appeal, and shall fail to recover upon the trial a greater sum than the appraisers assessed them he shall pay the cost of said appeal. Upon final judgment the school commissioners shall pay to the owner or owners such sums as may be assessed, together with the cost of the proceeding, except as above provided.

SEC. 4. This act shall be in full force and effect from and after its ratification.

Ratified this the 20th day of February, A.D. 1925.